	Application No.	Applicant(s)
	10/081,556	ANDREWS, DAVID W.
Notice of Allowability	Examiner	Art Unit	
	Igor Borissov	3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Pre-Brief Conference Request*.

2. ☒ The allowed claim(s) is/are *19-39*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☒ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of
Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date *3/27/2006* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

**IGOR N. BORISSOV
PRIMARY EXAMINER**

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with an applicant's representative Steven M. Jensen (Reg. No.: 42,693) on 3/27/2006.

The application has been amended as follows:
IN THE CLAIMS

19.   (Currently Amended) A system for implementing a best fare for each patron of a plurality of patrons, each patron utilizing a smart card for access to a plurality of mass transit devices, the system comprising:

a mass transit central computer;

a best fare data base connected to the mass transit central computer, the best fare data base for storing a plurality of price point tables, each price point table of the plurality of price point tables comprising at least one price point having a maximum fare corresponding to a maximum number of days;

a value load list processor ~~for~~ configured to ~~downloading~~ at least one of the plurality of price point tables to at least one mass transit device of the plurality of mass transit devices; and

the plurality of mass transit devices coupled to the mass transit central computer and the value load list processor, each mass transit device of the plurality of mass transit devices comprising:

a smart card reader for reading from and writing to the smart card, the smart card for storing fare transaction data for a plurality of days, the fare transaction data comprising a purchased fare for each day of the plurality of days;

a best fare processor in communication with the mass transit central computer, the best fare processor for configured to analyzeing a rolling time period comprising a portion of the fare transaction data stored on the smart card against the at least one price point of the each price point table of the plurality of price point tables, the rolling time period having a start date and an end date, the best fare processor for configured to determineing the best fare for the rolling time period when a sum of the purchased fares for the rolling time period is at least equal to the maximum fare of the at least one price point.

36.   (Currently Amended) A system for providing a best fare for a patron utilizing a smart card for access to mass transit devices, the system comprising:

a mass transit central computer;

a best fare data base coupled to the mass transit central computer, the best fare data base for storing a plurality of price points, each price point of the plurality of price points comprising a maximum number of days corresponding to a maximum fare;

the mass transit devices comprising:

a smart card reader for reading from and writing to the smart card, the smart card for storing fare transaction data for a plurality of days; and

a best fare processor in communication with the mass transit central computer, the best fare processor for configured to compareing the fare transaction data stored on the smart card to the maximum number of days and the maximum fare of the each price point of the plurality of price points to determine the best fare available to the patron for a rolling time period, the rolling time period comprising at least a portion of the plurality of days.

Allowable Subject Matter

Claims 19-39 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent Claims 19, 28, 36 and 39, the best prior art, Kikuchi (EP 0 911 762 A2) in view of Tracy et al. (US 6,550,672) teaches a method and system for providing services related to access to mass transit devices, including: providing a smart card having a plurality of fares stored therein; receiving (downloading) by a controller of an automatic ticket inspection machine (device) information tables, said tables including accumulation of distance traveled, fares, and number of travels over months including a start date and an end date; reading said information regarding accumulation of fare transaction from the smart card by means of a smart card reader, said information further comprising accumulated service points corresponding to the traveled distance or the fare; calculating (by the controller) a reduction to be added to the stored on the smart card value balance (awarding the best fare) based on said accumulated information, wherein said information tables are downloaded from the memory of the central computer.

However, Kikuchi in view of Tracy et al. does not teach a best fare data base for storing a plurality of price point tables, each price point table of the plurality of price point tables comprising at least one price point having a maximum fare corresponding to a maximum numbers of days.

Furthermore, as per Claims 19 and 36, Kikuchi in view of Tracy et al. does not teach a best fare processor configured to analyze a rolling time period comprising a portion of the transaction data stored on the smart card.

NPL prior art, "Knowledge Management Proposal; Automated Ticketing Systems: The State of the Art; and Electronic Fare Payment: Basic Concepts", which appears to be published on January 1998, while teaching application of business rules, the type of tickets, monthly passes, mandated discounts and bonus, concession tickets, etc., in multiple zones, distance-related fares environment wherein fare tables are employed, fails to disclose a best fare data base for storing a plurality of price point tables, each price point table of the plurality of price point tables comprising at least one price point having a maximum fare corresponding to a maximum numbers of days.

The remaining dependent Claims are considered allowable, as they are dependent and based off of an allowable independent Claims.

Any comments considered necessary by applicant must be submitted no later that the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason for Allowance".
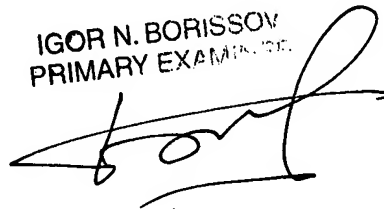
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IGOR N. BORISSOV
PRIMARY EXAMINER

IB
3/28/2006